

BEG_CTRL_NUM : DONZ00041397
END_CTRL_NUM : DONZ00041397
DATESENT = 08/18/2006
TIMESENT = 11:10:38
RECEIVEDDATE = 08/18/2006
TIMERECEIVED = 11:10:38
FILENAME : Re: Fwd: Temas.msq
SUBJECT: Re: Fwd: Topics

TEXT : From: Joseph Mutti <josephmutti@gmail.com>
Sent: Friday, August 18, 2006 11:11 AM
To: Steven Donziger <sdonziger@gmail.com>
Subject: Re: Fwd: Topics

Hi Steve,

Thanks for keeping me apprised. Do you really think there's a connection between the lack of payment and Varela? Perhaps I underestimate their power...

Last night Luis and I met with Juana after Pablo reported that the Texaco lawyers had filed a written complaint about him to the judge in Lago saying that he had been making complaints about the judge behind his back. Pablo's going to get a copy of the complaint today. Luis is there now. Luis reported that the judge appears to be backing down from his position regarding the cancellation of the inspections and that pressure must be brought to bear on him. Thus, it was resolved that two members of the coalition will be travelling to Lago next week to meet with the judge. Esperanza already met with him twice this week - once with an accompanying delegation - so he's already feeling the pressure. But, it seems, he's under far more pressure from the nice Texaco suits.

Juana is organizing some international letter writing to the court from Intl legal organizations. She wants the letters (they don't have to be many to have an effect) to be faxed next week to maintain the pressure.

The Palacios meeting reached a dead end with Alexis so Luis is pursuing another avenue. He called on it yesterday in my presence.

You're right about the lack of momentum, but here at the Frente that has a lot to do with money. Even the guards asked me this morning if we're going under.

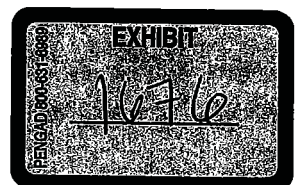
Joseph

On 8/18/06, Steven Donziger <sdonziger@gmail.com> wrote:

>
> I send this in confidence so u can keep apprised.
>
> How are the meetings going with Palacio and the candidates? I am worried if
> we don't have meetings skedded every week with somebody we will lose
> momentum. The Coaliton should be meeting with people to press the message
> and to lobby, rather than meeting among itself - that will keep the
> Coalition members interested and the work vital and best advance our
> interests, SRD.
>
> ----- Forwarded message -----
> From: Steven Donziger <sdonziger@gmail.com>
> Date: Aug 18, 2006 10:20 AM

Subject: Re: Fwd: Topics

> To: "toxico@ecuanex.net.ec" <toxico@ecuanex.net.ec>, luis francisco <
> lcoca62@yahoo.com.mx>
> Cc: PABLO FAJARDO <pafam@ecuanex.net.ec>, "manuel25@accessram.net" <
> manuel25@accessram.net>



>>>

> Luis and Pablo – Aside from the subject of money, which we will discuss in the evening,
> I'd like to share my view on the challenges we face.

>>

1) Between you and me, I have information that the State still hasn't paid
> the attorneys in Washington even though it has 17 lawyers reviewing documents. I have
> the suspicion that perhaps Texaco is lobbying there to freeze
> payments. Raul Herrera, the lead attorney in Washington and an honest gentleman,
> told me yesterday that last week at a restaurant in Quito he ran into
> Jaime Varela, the head of Chevron for all of Latin America, based in
> Mexico. Varela has been at 2-3 inspections and he is Reis Veiga's boss and
> is in direct contact with the top brass in San Ramon. Varela told Herrera
> that he is spending 1-2 weeks a month in Quito. Strange -- Chevron has no
> operations in Ecuador except for the lawsuit. So I am almost certain that his
> job is to work with officials from the government, PetroEcuador, the
> judges, to protect their interests over there in the trial and that includes
> not making payments to Winston, it is a waste, it's not worth it, the Attorney General
> is crazy, it would be better to use the money for Bloque 15, etc.

>>

This is very disturbing for two reasons: a) if the State does not pay the
> Washington attorneys within 2-3 weeks, it is possible that Winston may petition
> the Court here to withdraw representation, which would be a total disaster
> for us because now we have our hands around the neck of Reis Veiga and the rest.
> If he withdraws, the State loses and it will have a terrible
> impact on us. b) Varela is there to subvert various issues.

>>

Therefore, I see the matters this way:

>>

1) With the coalition we must make a plan for ongoing meetings to lobby in
> order to protect our interest with the court; Petroecuador;
> Minister of Finance; Palacio; Prosecutor General; Attorney General. This includes payments.
> Maybe this must be the coalition's job. But don't do anything about the payments until we talk.
Mr. Herrera told me that Alberto Wray is trying to resolve.
> I think if the head of CONAIE and other members of the coalition
> met with the key people then they will pay and this may help Alberto's efforts.

>>

2) Another thing, we need to create a "solution" committee to determine the best way to remediate the damage with
"X" amount of money. We need you, Pablo, Manuel, Esperanza, Alejandro, etc. It is vital because the matter I
mentioned on my last trip could proceed, and we don't have time to do any big background studies now. Manuel, we
need your help please. If they offer something tomorrow, how do we analyze it? We need to get ready immediately.

>>

I might be coming for 2-3 days, but I can't spend much time until September, my humble friends.

>>

Let's talk this evening.

>>

Yours truly,

>

> SRD

>

>

> --

> Steven Donziger

> 212-570-4499 (land)

> 212-570-9944 (fax)

> 917-566-2526 (cell)

>

> Steven R. Donziger

> Law Offices of Steven R. Donziger, P.C.

> [REDACTED]
> New York, New York 10021
> Email: sdonziger@gmail.com
>
> -
> Steven Donziger
> 212-570-4499 (land)
> 212-570-9944 (fax)
> 917-566-2526 (cell)
>
> Steven R. Donziger
> Law Offices of Steven R. Donziger, P.C.
> [REDACTED]
> New York, New York 10021
> Email: sdonziger@gmail.com

FROM : Joseph Mutti <josephmutti@gmail.com>
RECIPIENT : Steven Donziger <sdonziger@gmail.com>
CUSTODIAN : Donziger, Steven
SOURCE : All Mail3.pst
PAGES = 0
DOCTYPE : E-MAIL
BOX_NO = 0
ITEM_NO = 1117
UPDATEDATE = 01/15/2011
PRIV_DOC_NO = 0
NATIVELINK : M:\Production\Gibson\Chevron\CONCORDANCE_DONZIGER_COMPEL\DON028\NATIVES\002
DONZ00041397.msg

**MERRILL
CORPORATION**



225 VARICK STREET
NEW YORK, NY 10014 • PHONE: (212) 620-5600

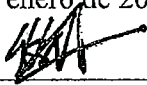
State of New York)
Estado de Nueva York)
) ss:
) a saber:
County of New York)
Condado de Nueva York)

Certificate of Accuracy
Certificado de Exactitud

This is to certify that the attached translation is, to the best of our knowledge and belief, a true and accurate translation from Spanish into English of the attached document.

Por el presente certifico que la traducción adjunta es, según mi leal saber y entender, traducción fiel y completa del idioma español al idioma inglés del documento adjunto.

Dated: January 28, 2011
Fecha: 28 de enero de 2011

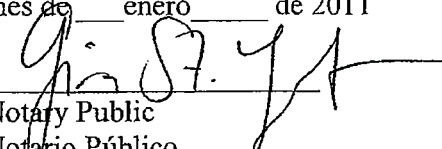


Weikwang Ng (Jason)
Project Manager – Legal Translations
Merrill Brink International/Merrill Corporation

[firmado]

Weikwang Ng (Jason)
Gerente de Proyecto – Traducciones Legales
Merrill Brink International/Merrill Corporation

Sworn to and signed before
Jurado y firmado ante
Me, this 28th day of
mi, a los 28 días del
January 2011
mes de enero de 2011



Notary Public
Notario Público

GINA ST LAURENT [firmado]
Notary Public, State of New York [sello]
No. 01ST6146442
Qualified in New York County
Commission Expires May 15, 2014

OFFICES IN MAJOR CITIES THROUGHOUT THE WORLD

BEG_CTRL_NUM : DONZ00041397
 END_CTRL_NUM : DONZ00041397
 DATESENT = 08/18/2006
 TIMESENT = 11:10:38
 RECEIVEDDATE = 08/18/2006
 TIMERECEIVED = 11:10:38
 FILENAME : Re: Fwd: Temas.msg
 SUBJECT : Re: Fwd: Temas
 TEXT : From: Joseph Mutti <josephmutti@gmail.com>
 Sent: Friday, August 18, 2006 11:11 AM
 To: Steven Donziger <sdonziger@gmail.com>
 Subject: Re: Fwd: Temas

Hi Steve,

Thanks for keeping me apprised. Do you really think there's a connection between the lack of payment and Varela? Perhaps I underestimate their power...

Last night Luis and I met with Juana after Pablo reported that the Texaco lawyers had filed a written complaint about him to the judge in Lago saying that he had been making complaints about the judge behind his back. Pablo's going to get a copy of the complaint today. Luis is there now. Luis reported that the judge appears to be backing down from his position regarding the cancellation of the inspections and that pressure must be brought to bear on him. Thus, it was resolved that two members of the coalition will be travelling to Lago next week to meet with the judge. Esperanza already met with him twice this week - once with an accompanying delegation - so he's already feeling the pressure. But, it seems, he's under far more pressure from the nice Texaco suits.

Juana is organizing some international letter writing to the court from intl legal organizations. She wants the letters (they don't have to be many to have an effect) to be faxed next week to maintain the pressure.

The Palacios meeting reached a dead end with Alexis so Luis is pursuing another avenue. He called on it yesterday in my presence.

You're right about the lack of momentum, but here at the Frente that has a lot to do with money. Even the guards asked me this morning if we're going under.

Joseph

On 8/18/06, Steven Donziger <sdonziger@gmail.com> wrote:

>
 > I send this in confidence so u can keep apprised.
 >
 > How are the meetings going with Palacio and the candidates? I am worried if
 > we don't have meetings skedded every week with somebody we will lose
 > momentum. The Coaliton should be meeting with people to press the message
 > and to lobby, rather than meeting among itself -- that will keep the
 > Coalition members interested and the work vital and best advance our
 > interests. SRD
 >
 > ----- Forwarded message -----
 > From: Steven Donziger <sdonziger@gmail.com>
 > Date: Aug 18, 2006 10:20 AM
 > Subject: Temas
 > To: "toxico@ecuanex.net.ec" <toxico@ecuanex.net.ec>, luis francisco <
 > lcoca62@yahoo.com.mx>
 > Cc: PABLO FAJARDO <pafam@ecuanex.net.ec>, "manuel25@accessram.net" <
 > manuel25@accessram.net>

>
>
>
> Luis y Pablo -- Aparte del tema de plata, lo cual hablamos por la tarde,
> quisiera compartir mi perspectiva sobre retos que tenemos:
>
> 1) En confianza, tengo informacion que el Estado todavia no ha pagado los
> abogados en Washington aunque tiene 17 abogados revisando documentos. Tengo
> la sospecha que quizas Texaco esta cabildeando alla para congelar los
> pagos. Raul Herrera, el abogado mayor en Washington y un señor honesto, me
> conto ayer que el se encontro la semana pasada en un restaurante en Quito
> Sr. Jaime Varela, el jefe de Chevron para todo America Latina con base en
> Mexico. Varela ha estado en 2-3 inspecciones, y es jefe de Reis Veiga y
> tiene contacto directo a la jefatura en San Ramon. Varela conto a Hererra
> que esta pasando 1-2 semanas por mes en Quito. Extrano -- Chevron no tiene
> operaciones en Ecuador menos el juicio. Entonces, estoy casi seguro que su
> tarea es trabajar con oficiales del gobierno, de PetroEcuador, de los
> jueces, para proteger sus intereses alla en el juicio y eso incluye que no
> hacen los pagos a Winston, es un desperdicio, no vale la pena, el Procurador
> es loco, mejor utiliza la plata para Bloque 15, etc.
>
> Eso es muy preocupante por dos razones: a) si no paga el Estado los abogados
> de Washington dentro de 2-3 semanas, es posible que Winston va a petitionar
> la corte aqui para renunciar su representacion, la cual seria un desastre
> total para nosotros porque ahora tenemos Reis Veiga y lo demas con nuestros
> manos en su cuello. Si renuncia, pierde el estado y nos impacta
> terriblemente. b) que Varela esta alli corrompiendo sobre varios asuntos.
>
> Entonces, veo los temas asi:
>
> 1) Con la coalicion tenemos que hacer un plan de reuniones permanentes para
> cabildear para proteger nuestros intereses con la corte; Petroecuador;
> Ministro de Finanzas; Palacio; Fiscal; Procurador. Eso incluye los pagos.
> A lo mejor, este debe ser el trabajo de la coalicion. Pero, no haga nada
> sobre los pagos hasta que hablamos. Sr. Herrera me dijo que Alberto Wray
> esta tratando de resolver. Yo creo que si el jefe de CONAIE, mas otros
> miembros de la coalicion, tuvieran una reunion con las personas decisivas
> entonces pagaran y eso pueda ayudar los esfuerzos de Alberto.
>
> 2) Otra cosa es tenemos que crear un comite de "solucion" para determinar la
> mejor manera de remediar los danos con una cantidad tal de plata. Se
> necesita Ud, Pablo, Manuel, Esperanza, Alejandro, etc. Es vital porque la
> cuestion que mencionaba en mi ultimo viaje pueda proceder y no tenemos
> tiempo de hacer grandes estudios de fondo ahora. Manuel, necesitamos la
> ayuda tuya por favor. Si ofrecen algo manana, como analizamos? Tenemos que
> prepararnos ya.
>
> Es posible que vengo la semana que viene por 2-3 dias pero no puedo pasar
> una cantidad de tiempo grande hasta Septiembre mis compañeros humildes.
>
> Hablamos por la tarde.
>
> Su servidor,
>
> SRD
>
>
> --
> Steven Donziger
> 212-570-4499 (land)
> 212-570-9944 (fax)
> 917-566-2526 (cell)
>
> Steven R. Donziger
> Law Offices of Steven R. Donziger, P.C.

> [REDACTED]
> New York, New York 10021
> Email: sdonziger@gmail.com
>
> --
> Steven Donziger
> 212-570-4499 (land)
> 212-570-9944 (fax)
> 917-566-2526 (cell)
>
> Steven R. Donziger
> Law Offices of Steven R. Donziger, P.C.
> [REDACTED]
> New York, New York 10021
> Email: sdonziger@gmail.com

FROM : Joseph Mutti <josephmutti@gmail.com>
RECIPIENT : Steven Donziger <sdonziger@gmail.com>
CUSTODIAN : Donziger, Steven
SOURCE : All Mail3.pst
PAGES = 0
DOCTYPE : E-MAIL
BOX_NO = 0
ITEM_NO = 1117
UPDATEDATE = 01/15/2011
PRIV_DOC_NO = 0
NATIVELINK : M:\Production\Gibson\Chevron\CONCORDANCE_DONZIGER_COMPEL\DON028\NATIVES\002
 \DONZ00041397.msg